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Of Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

KERRY CLARK

Case No. 6:17-cv-00033-JR

Plaintiff,

v.

**DECLARATION OF ANGIE
ARMSTRONG**

MICHAEL MAFFEI, in his personal and
official capacities; RHETT DAVIS, in
his personal capacity; DENYCE
SHORB, and HARVEY MAFFEI

**In Support of Plaintiff's Motion for
Partial Summary Judgment**

Defendants.

I, ANGIE ARMSTRONG, hereby declare:

1. I am currently a resident of Broadbent, Oregon.

2. From approximately September 2010 until the Summer of 2016, I lived with Billy Mellor at 460 Poplar Street in Powers, Oregon. Mr. Mellor owned that home with his sister Denyce Shorb.

3. I was living at 460 Poplar when Kerry Clark moved into the house behind 460, 460 ½ Poplar Street. Mr. Mellor and Ms. Shorb owned that home too.

The two houses are on the same lot.

4. Kerry Clark, Denyce Shorb, Billy Mellor and I all signed the rental agreement that allowed Mr. Clark to rent 460 ½ Poplar for the rest of his life. Everyone who signed knew and understood that it was a lifetime rental agreement. We talked about that fact.

5. The house at 460 ½ Poplar was in very bad condition when Kerry Clark moved in. We had all agreed that he was going to fix it up and live there. When I left in July, Mr. Clark was making a lot of progress on it. He was fixing the floor and the bathroom and had put a lot of work into it.

6. I remember Kerry telling me around July of 2016 that he had offered Denyce Shorb his rent that day and that Ms. Shorb wouldn't take it.

7. In June or July of 2016, the Powers' Police Chief Rhett Davis came to my house at 460 Poplar and told me that I had to be out the next day even though I had a restraining order that said I could be there. I showed Chief Davis my restraining order that ousted Billy Mellor from 460 Poplar and Chief Davis told me that her restraining order wasn't worth the paper it was printed on.

8. At this time, in June and July of 2016, it was well known that Kerry Clark was living in the house at 460 ½ Poplar. I believe that Chief Davis knew that Kerry Clark was living there because he drove by on a regular basis and saw Kerry working on the house.

9. One day, in late August 2016, I saw Michael Maffei who lived next door to 460 Poplar and another man and Denyce Shorb on the property tearing down 460 ½ Poplar. I believe the other man was Michael Maffei's brother.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 26 day of September 2017.


ANGIE ARMSTRONG